

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

HOPE LUTHERAN CHURCH, a not for profit ecclesiastical corporation,)	
)	
)	
)	No. 2:18-cv-00155
Plaintiff,)	
)	
v.)	Honorable Paul L. Maloney
)	
CITY OF ST. IGNACE, a Michigan municipal corporation,)	
)	
)	FINAL CONSENT DECREE
)	AND ORDER OF DISMISSAL
Defendant.)	

FINAL CONSENT DECREE AND ORDER OF DISMISSAL

The parties hereby stipulate and agree that this case has been settled and that all issues and controversies have been resolved to their mutual satisfaction and that this matter be dismissed with prejudice except as necessary to enforce the terms of this consent decree. The parties request the Court to retain jurisdiction to enforce the terms of their settlement agreement under the authority of *Kokkonen v. Guardian Life Insurance Company of America*, 511 U.S. 375, 381-82 (1994).

IT IS HEREBY ORDERED:

1. Plaintiff, Hope Lutheran Church, has the right to use its property located at 132 S. State Street (the Property) as a church as a permitted use.
2. As long as the Property is used as a “church” as defined under MCL 438.1107, no objection shall be filed or made against any existing or future land use that is lawful and permissible in the General Business District (GBD) including, but not limited to, an application for a license to sell alcoholic beverages pursuant to the Michigan Liquor Control Code.

3. A copy of this Final Consent Decree and Order of Dismissal shall be recorded with the Mackinac County Register of Deeds and is intended to run with the land and is binding upon future Property owners who intend to continue its use as a church.

4. By consent of the parties, the Court shall retain jurisdiction for the limited purpose of enforcing the terms of this Final Consent Decree.

5. Except as necessary to enforce the terms of this consent decree, this case is hereby dismissed with prejudice. Each party shall bear its own attorney's fees and costs.

Date: September 27, 2019

/s/ Paul L. Maloney
UNITED STATES DISTRICT JUDGE

AGREED TO BY:

/s/ Noel W. Sterett

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